

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

FIVE STAR WAREHOUSE, LLC,

Defendant.

24-CR-6033 DGL

INFORMATION
(Felony)

Violations:
18 U.S.C. § 1349

COUNT 1

The United States Attorney Charges That:

1. Between in or about May 2021, and in or about July 2022, in the Western District of New York, and elsewhere, the defendant, **FIVE STAR WAREHOUSE, LLC.**, did knowingly, willfully, and unlawfully combine, conspire, and agree with others, known and unknown to the Grand Jury, to devise a scheme and artifice to defraud thousands of companies located in the United States (“the Victim Companies”), and to obtain money and property from the Victim Companies by means of false and fraudulent pretenses, representations, and promises, and for the purposes of executing such scheme and artifice to place in any post office and authorized depository for mail matter, matter and things to be sent and delivered by the Postal Service; to deposit, and cause to be deposited, matter and things to be sent and delivered by private and commercial interstate carrier; and to knowingly cause to be delivered by mail and private and commercial interstate carrier according to the direction thereon and at the place at which it was directed to be delivered by the person to whom it was addressed matter and things, in violation of Title 18, United States Code, Section 1341.

2. The object of the conspiracy was to mass mail fraudulent invoices from the sham companies Safety Supply and Union Gloves to several thousand Victim Companies to trick the

Victim Companies into paying the fraudulent invoices under the mistaken belief that the Victim Companies had previously ordered and received the personal protective equipment (“PPE”) products listed on the fraudulent invoices.

3. Between in or about May 2021, and in or about July 2022, the defendant and its conspirators had mailed from Florida to several thousand Victim Companies throughout the United States a document that was intended to trick the Victim Companies into believing was a legitimate invoice from Safety Supply or Union Gloves for products that the Victim Companies had previously ordered and received.

4. Between in or about May 2021, and in or about July 2022, approximately 1,059 of the Victim Companies who received a document by mail from Safety Supply were tricked into believing that such document was a legitimate invoice which caused 1052 of such Victim Companies to subsequently mail a check to Safety Supply in Florida to pay the fraudulent invoice and 7 of such Victim Companies to make an electronic payment to Safety Supply to pay the fraudulent invoice. The approximately 1,059 Victim Companies paid Safety Supply a total of approximately \$1,916,052.25.

5. Between in or about October 2021, and in or about May 2022, approximately 279 of the Victim Companies who received a document by mail from Union Gloves were tricked into believing that such document was a legitimate invoice which caused 265 of such Victim Companies to subsequently mail a check to Union Gloves in Florida to pay the fraudulent invoice and 14 of such Victim Companies to make an electronic payment to Safety Supply to pay the fraudulent invoice. The approximately 279 Victim Companies paid Union Gloves a total of approximately \$281,249.50.

6. The checks received from the Victim Companies were deposited into bank accounts in the names of Safety Supply and Union Gloves, and subsequently some of the proceeds were transferred into bank accounts in the name of the defendant.

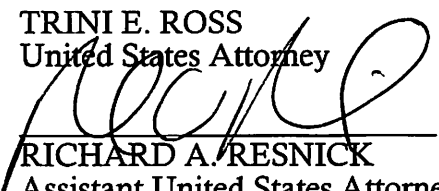
7. Between in or about May 2021, and in or about July 2022, several weeks after receiving a check from the Victim Companies, the defendant and its coconspirators caused inexpensive and substandard PPE products to be delivered to the Victim Companies with no identifying information or documentation connecting such deliveries to either Safety Supply or Union Gloves.

8. The deliveries of the inexpensive and substandard PPE products to the Victim Companies also contained fraudulent return address information on the shipping labels which included the fictitious name "Xi Chin", the fraudulent phone numbers 561-xxx-4444 or 585-xxx-7333, and the defendant's name as the seller of the PPE products.

9. Between May 2021, and in or about July 2022, at least 14 Victim Companies received in the Western District of New York fraudulent invoices from Safety Supply and Union Gloves by United States Postal Service.

All in violation of Title 18, United States Code, Section 1349.

DATED: Rochester, New York, February 29, 2024.

BY: 
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